

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                           |   |   |
|---------------------------|---|---|
| In Re the Application of: | ) | Group Art Unit: 1794                      |
|                           | ) |   |
| ABRAMS, Louis Brown       | ) | Confirmation No.: 4355                    |
|                           | ) |   |
| Serial No.: 10/613,981    | ) | Examiner: JUSKA, CHERYL ANN               |
|                           | ) |   |
| Filed: July 3, 2003       | ) | <u>CLARIFICATION ON THE CERTIFICATION</u> |
|                           | ) | <u>OF THE INFORMATION DISCLOSURE</u>      |
| Atty. File No.: 4811-14   | ) | <u>STATEMENT SUBMITTED JULY 20, 2007</u>  |
|                           | ) |   |
| For: "FLOCKED STRETCHABLE | ) | Electronically Submitted                  |
| DESIGN OR TRANSFER "      | ) |   |

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

On July 20, 2007, Applicant submitted an Information Disclosure Statement (IDS) in the above-identified patent application. The IDS had an "X" checked in both the certification box corresponding to 37 CFR 1.97(e)(2) and the "None" box listed on form PTO/SB/08a. The IDS is attached hereto as Exhibit A.

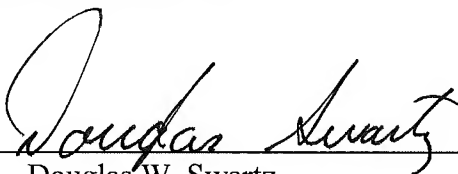
On March 12, 2008, the Examiner issued a Notice of Allowance for the above-identified case. The Notice of Allowance was accompanied by a List Of References Cited By Applicant And Considered By Examiner containing the considered IDS of July 20, 2007.

Applicant would like to clarify the IDS of July 20, 2007, should have checked only the certification box corresponding to 37 CFR 1.97(e)(2) and not the "None" box, as Applicant believed the certification was appropriate at the time of filing the IDS (i.e., July 20, 2007).

Although no fees are believed due in connection with this communication, please charge any fees deemed necessary to Deposit Account No. 19-1970. If additional information is required please contact the undersigned.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

Douglas W. Swartz

Registration No. 37,739

1560 Broadway, Suite 1200

Denver, Colorado 80202-5141

(303) 863-9700

Date: June 10, 2008

# **EXHIBIT A**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

|                        |                   |
|------------------------|-------------------|
| Application Number     | 10613981          |
| Filing Date            | 2003-07-03        |
| First Named Inventor   | Abrams            |
| Art Unit               | 1771              |
| Examiner Name          | JUSKA, CHERYL ANN |
| Attorney Docket Number | 4811-14           |

## U.S. PATENTS

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| Examiner Initial* | Cite No | Patent Number | Kind Code <sup>1</sup> | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
|-------------------|---------|---------------|------------------------|------------|---|--|
|                   | 1       | 2592602       |                        | 1952-04-15 | Saks  |  |
|                   | 2       | 2999763       |                        | 1961-09-12 | Sommer  |  |
|                   | 3       | 3215584       |                        | 1965-11-02 | McConnell et al.                                |  |
|                   | 4       | 3314845       |                        | 1967-04-18 | Perri   |  |
|                   | 5       | 3377232       |                        | 1968-04-09 | Mencock et al.                                  |  |
|                   | 6       | 3459579       |                        | 1969-08-05 | Newman  |  |
|                   | 7       | 3496054       |                        | 1970-02-17 | Baigas  |  |
|                   | 8       | 3660200       |                        | 1972-05-02 | Anderson et al.                                 |  |

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| Attorney Docket Number | 4811-14           |

|  |    |         |  |            |               |  |
|--|----|---------|--|------------|---------------|--|
|  | 9  | 3772132 |  | 1973-11-13 | Dulin, Jr.    |  |
|  | 10 | 3803453 |  | 1974-04-09 | Hull          |  |
|  | 11 | 3900676 |  | 1975-08-19 | Alderson      |  |
|  | 12 | 3969559 |  | 1976-07-13 | Boe           |  |
|  | 13 | 4025678 |  | 1977-05-24 | Frank         |  |
|  | 14 | 4218501 |  | 1980-08-19 | Kameya et al. |  |
|  | 15 | 4430372 |  | 1984-02-07 | Knoke et al.  |  |
|  | 16 | 4465723 |  | 1984-08-14 | Knoke et al.  |  |
|  | 17 | 5077116 |  | 1991-12-31 | Lefkowitz     |  |
|  | 18 | 6436506 |  | 2002-08-20 | Pinter et al. |  |
|  | 19 | 6676796 |  | 2004-01-13 | Pinter et al. |  |

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| Attorney Docket Number | 4811-14           |            |

If you wish to add additional U.S. Patent citation information please click the Add button.

**U.S.PATENT APPLICATION PUBLICATIONS**

| Examiner Initial* | Cite No | Publication Number | Kind Code <sup>1</sup> | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
|-------------------|---------|--------------------|------------------------|------------------|---|--|
|                   | 1       | 20070003761        |                        | 2007-01-04       | Miyazono et al.                                 |  |

If you wish to add additional U.S. Published Application citation information please click the Add button.

**FOREIGN PATENT DOCUMENTS**

| Examiner Initial* | Cite No | Foreign Document Number <sup>3</sup> | Country Code <sup>2</sup> j | Kind Code <sup>4</sup> | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear | T <sup>5</sup>                      |
|-------------------|---------|--------------------------------------|-----------------------------|------------------------|------------------|---|--|-------------------------------------|
|                   | 1       | 56107080                             | JP                          |                        | 1981-08-25       | TORAY INDUSTRIES                                |  | <input checked="" type="checkbox"/> |
|                   | 2       | 55079143                             | JP                          |                        | 1980-06-14       | TORAY INDUSTRIES                                |  | <input checked="" type="checkbox"/> |

If you wish to add additional Foreign Patent Document citation information please click the Add button

**NON-PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>5</sup>           |
|--------------------|---------|---|--------------------------|
|                    | 1       | "Bicomponent Fibers", available at <a href="http://web.utk.edu/~mse/pages/Textiles/Bicomponent%20fibers.htm">http://web.utk.edu/~mse/pages/Textiles/Bicomponent%20fibers.htm</a> , Updated April, 2004, 8 pages   | <input type="checkbox"/> |

If you wish to add additional non-patent literature document citation information please click the Add button

**EXAMINER SIGNATURE**

|                    |  |                 |  |
|--------------------|--|-----------------|--|
| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

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STATEMENT BY APPLICANT**  
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| Attorney Docket Number | 4811-14           |

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ None

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

|            |                     |                     |            |
|------------|---------------------|---------------------|------------|
| Signature  | /Douglas W. Swartz/ | Date (YYYY-MM-DD)   | 2007-07-20 |
| Name/Print | Douglas W. Swartz   | Registration Number | 37739      |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**



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The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

## Electronic Acknowledgement Receipt

|   |  |
|---|--|
| <b>EFS ID:</b>                              | 1992756                                |
| <b>Application Number:</b>                  | 10613981                               |
| <b>International Application Number:</b>    |  |
| <b>Confirmation Number:</b>                 | 4355                                   |
| <b>Title of Invention:</b>                  | Flocked stretchable design or transfer |
| <b>First Named Inventor/Applicant Name:</b> | Louis Brown Abrams                     |
| <b>Customer Number:</b>                     | 22442                                  |
| <b>Filer:</b>                               | Douglas W. Swartz/Debra Kesner         |
| <b>Filer Authorized By:</b>                 | Douglas W. Swartz                      |
| <b>Attorney Docket Number:</b>              | 4811-14                                |
| <b>Receipt Date:</b>                        | 20-JUL-2007                            |
| <b>Filing Date:</b>                         | 03-JUL-2003                            |
| <b>Time Stamp:</b>                          | 10:20:20                               |
| <b>Application Type:</b>                    | Utility under 35 USC 111(a)            |

### Payment information:

|                        |    |
|------------------------|----|
| Submitted with Payment | no |
|------------------------|----|

### File Listing:

| Document Number | Document Description                         | File Name  | File Size(Bytes)<br>/Message Digest     | Multi Part /.zip | Pages (if appl.) |
|-----------------|--|------------|---|------------------|------------------|
| 1               | Information Disclosure Statement (IDS) Filed | IDS_10.pdf | 960994                                  | no               | 6                |
|                 |  |            | ea3f2ce1823d909fc3b0bc1362542b11680da11 |                  |                  |

### Warnings:

|   |                   |                        |   |    |   |
|---|-------------------|------------------------|---|----|---|
| <b>Information:</b>   |                   |                        |   |    |   |
| 2   | Foreign Reference | JP56107080A.pdf        | 386347<br>9ee0fc1f8547e0404113f20f01bac1cb5<br>3e98891  | no | 7 |
| <b>Warnings:</b>  |                   |                        |   |    |   |
| <b>Information:</b>   |                   |                        |   |    |   |
| 3   | Foreign Reference | JP55079143A.pdf        | 235752<br>f2ac179fbc89551f0049eb43ed2fd1d6a<br>51d177   | no | 5 |
| <b>Warnings:</b>  |                   |                        |   |    |   |
| <b>Information:</b>   |                   |                        |   |    |   |
| 4   | NPL Documents     | Bicomponent_Fibers.pdf | 1070764<br>b6eca307e69a898dc79c90c9c66f029b<br>35dfd294 | no | 8 |
| <b>Warnings:</b>  |                   |                        |   |    |   |
| <b>Information:</b>   |                   |                        |   |    |   |
| <b>Total Files Size (in bytes):</b>   |                   |                        | 2653857   |    |   |
| <p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b><br/>         If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b><br/>         If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b><br/>         If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p> |                   |                        |   |    |   |